

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHS CAPITAL, LLC,

Plaintiff,

v.

BOERSEN FARMS AG, LLC, ET AL.,

Defendants.

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CASE NO. 1:17-CV-769

HON. ROBERT J. JONKER

**ORDER**

In its Order dated September 13, 2017, the Court appointed the Receiver over the Defendants in this case for the following purpose:

To seek authorization of this Court to file voluntary petitions for relief under Title 11 of the United States Code (the “Bankruptcy Code”) for the Defendants. If any Defendant is placed in bankruptcy proceedings, the Bankruptcy Court will address and resolve whether the Receiver may operate as debtor-in-possession.

(ECF No. 72, PageID.1494). Consistent with that Order, the Receiver now seeks authorization to initiate Chapter 11 bankruptcy proceedings on behalf of several Defendants (those it terms “Business Defendants”). The Receiver further seeks modification of the Court’s September 13th Order to provide for additional authority. (ECF Nos. 82-83.)

The Receiver's motion is **GRANTED** to the extent it seeks authorization to initiate Chapter 11 bankruptcy proceedings on behalf of the Business Defendants. Upon filing, the Bankruptcy Court will decide on additional powers consistent with the Bankruptcy Code.

**IT IS SO ORDERED.**

Dated: September 22, 2017

/s/ Robert J. Jonker  
ROBERT J. JONKER  
CHIEF UNITED STATES DISTRICT JUDGE